



Terry Tamminen
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California Regional Water Quality Control Board

Los Angeles Region

Over 51 Years Serving Coastal Los Angeles and Ventura Counties
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Arnold Schwarzenegger
Governor

To: Interested Persons

From: Paula Rasmussen
Chief, Groundwater Permitting and Enforcement Section

Date: March 29, 2004

Subject: Notice of Public Hearing for the consideration of tentative general Waste Discharge Requirements (WDRs) for Residential Onsite Wastewater Treatment Systems, a tentative Resolution adopting a Mitigated Negative Declaration for the proposed WDRs, and a tentative Resolution adopting a template Memorandum of Understanding (MOU) regarding onsite wastewater treatment systems.

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) will consider tentative general Waste Discharge Requirements (WDRs) for residential onsite wastewater treatment systems, a tentative Resolution adopting a Mitigated Negative Declaration for the tentative WDRs, and a proposed Resolution adopting a template Memorandum of Understanding (MOU) regarding onsite wastewater treatment systems.

The Regional Board will act on the proposed items after hearing staff's presentation and public comments. Copies of the tentative WDRs, Notice of Preparation of a Mitigated Negative Declaration, Environmental checklist, and the tentative Resolution adopting the template MOU can be obtained from the Regional Board website at www.swrcb.ca.gov/rwqcb4 (select the "Tentative Permits" link). Please contact Jenny Newman at (213) 576-6808 for additional information or to obtain a hard copy of the documents.

***A Public Hearing will be held on May 6, 2004
at 9:00 a.m. at the City of Simi Valley Council Chambers,
2929 Tapo Canyon Road, Simi Valley, California***

Written comments and exhibits must be submitted to the Regional Board no later than **4:00 p.m. on April 28, 2004**. Failure to comply with these requirements is grounds for the Board to refuse to admit the proposed written comment or exhibit into evidence (California Code of Regulations, Title 23, Section 649.4). Comments should be submitted to:

California Regional Water Quality Control Board
Los Angeles Region
320 West Fourth Street, Suite 200
Los Angeles, California 90013

ATTN: Jenny Newman

California Environmental Protection Agency



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Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Background

The Regional Board has drafted general WDRs for the discharge to land of wastewater from residential onsite wastewater treatment systems and has prepared a draft Mitigated Negative Declaration for the proposed WDRs. The discharge of wastewater from residential onsite wastewater treatment systems poses a potential significant environmental risk to water quality and public health. However, compliance with the proposed general WDRs mitigate these potential risks to a level of insignificance. Therefore, the Regional Board has prepared a Mitigated Negative Declaration for the project.

The proposed WDRs supplement local agency regulations by ensuring that onsite wastewater treatment systems do not adversely affect groundwater and surface water quality, especially in areas of shallow groundwater, areas adjacent to 303(d) listed water bodies, areas where groundwater is used for domestic purposes and areas with nitrogen or bacterial contamination of ground or surface waters.

The proposed WDRs need not be issued by the Regional Board in areas where local agency regulations are at least as protective as the proposed WDRs. Regional Board staff has drafted a tentative Resolution adopting a template MOU for the purpose of delegating lead responsibility to local agencies for residential onsite wastewater treatment systems under their jurisdiction. The tentative template MOU requires local agencies to enforce all applicable local code requirements for onsite wastewater treatment systems within their jurisdiction. In addition, the MOU requires local agencies to amend their code within one year of the effective date of the MOU to achieve consistency with the proposed general WDRs for residential onsite wastewater treatment systems. Furthermore, the MOU requires the local agency to amend their code within one year of the effective date of the MOU to achieve consistency with Regional Board Order No. 01-031 if the local agency wishes to have lead responsibility for certain commercial onsite wastewater treatment systems under their jurisdiction as detailed in the MOU. The Regional Board must evaluate the Local Agency at least once every five years to ensure the onsite wastewater treatment system program is in conformance with any statewide standards, Basin Plan requirements, or Regional Board Orders.

The template MOU satisfies the requirements of section 13269 of the California Water Code and authorizes the Regional Board to issue waivers of WDRs for onsite sewage treatment systems regulated by Local Agencies who have signed the MOU and who have agreed to its requirements. The proposed Resolution authorizes the Executive Officer to approve individual MOUs with local agencies in the Region based on the template MOU. In addition, the proposed Resolution directs Regional Board staff to draft a resolution waiving WDRs for onsite sewage treatment systems regulated by Local Agencies who have signed the individual MOU, or who have made significant progress towards signing the MOU, as determined by the Regional Board, for Regional Board consideration prior to June 30, 2004.

